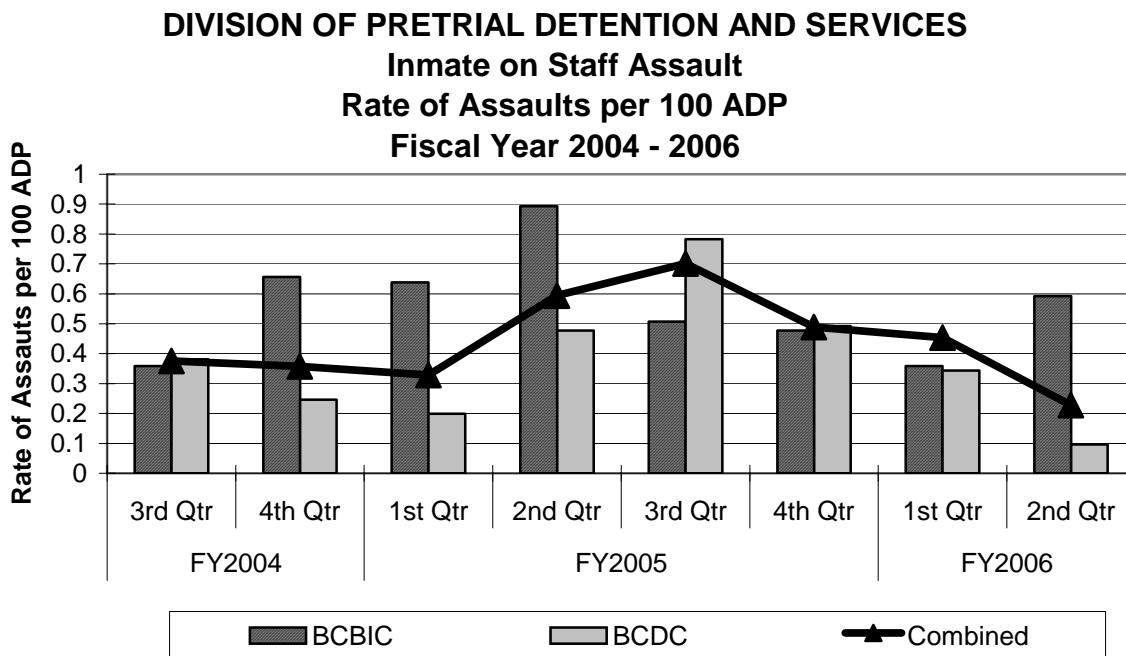


Issue: The Department should be prepared to discuss reasons for the increase in the DPDS-wide inmate-on-staff assault rate in fiscal 2005 and what actions have been taken to reduce the assault rate. The Department should also discuss the increasing assault rate at BCBIF specifically, including any impact the growth in ADP as a portion of total DPDS ADP may have on assault rates.

Response:

While there was an increase in assaults on staff per 100 offenders from FY 2004 to FY 2005, looking at the total for the year does not provide the level of trend analysis that DPDS management uses in its efforts to control violence. DPDS uses its bi-weekly violence reduction meetings to review all incidents in the prior two-week period to identify year trends, operational changes, and training needs in response to changing offender actions. The chart below shows the same information as Exhibit 2 in the analysis on a quarterly basis, showing a more complete picture of what happened in DPDS from FY 2004 to FY 2005, with the addition of the results for the first 6 months of FY 2006.



The increase in assaults per 100 residents in the 2nd and 3rd Quarters of FY 2005 was due to a combination of an increase in assaults and shifting of residents between facilities in the 2nd Quarter and a decrease in population in the 3rd Quarter, with the remaining population including a higher percentage of those more likely to commit assaults. As a result of management response to this analysis, DPDS has shown three quarters of overall decrease. While this information is expressed by quarters, management analyzes this data every two weeks and responds immediately.

It should be pointed out that the assault statistics for the Baltimore Central Booking and Intake Center (BCBIC) include assaults that occur on the Booking floor; however, the facility ADP does not include a count of those offenders on the Booking floor being processed before commitment, which could range from 200 to 350 on any given day. DPDS will continue to look at this factor in the per capita calculation for an effective method of reflecting/capturing the total number of offenders on the booking floor, since assaults there are already captured. The

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number of offenders on the booking floor has not been traditionally included in the ADP for booking.

The offender housed in BCBIC has just been arrested and committed to DPDS custody. As a group, they tend to “bring the street” into the jail and in many cases are not aware initially of how the facility operates or what is expected of them as residents. This makes them likely to “act out” and the targets are correctional staff. One of the important distinctions in the assault data is the difference between serious and less serious assaults on staff, which are both showing a downward trend. While any assault is abhorrent, the serious assaults are the ones that could result in serious injury or worse.

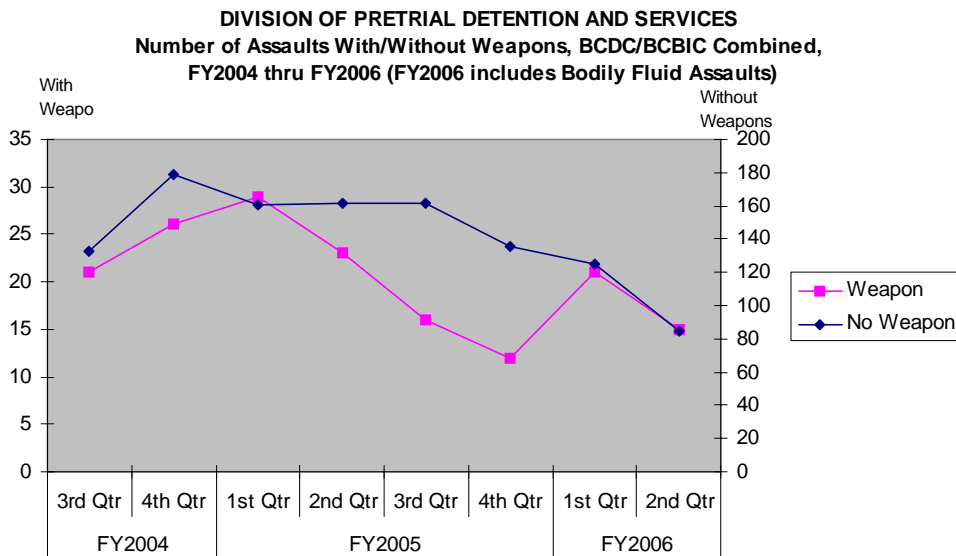
Tactics used reduce the occurrence of violence by both facilities include:

- Identify and eliminating the sources of weapons (our old and deteriorating facilities offer a plethora of sources of weapons);
- Effective and frequent shakedowns of housing areas;
- Searches of offenders moving throughout the facility;
- Effective intelligence gathering and sharing to identify year potential predators;
- Establishing additional administrative segregation housing for those involved in violence.

Issue: The Department should be prepared to discuss the increase in the use of weapons in inmate-on-staff assaults, and what steps it is taking to address this growing problem.

Response:

DPDS management noted the increased frequency of the use of weapons in all assaults, not just those on staff, as a result of its on-going violence reduction monitoring and analysis. Management efforts to focus on this aspect of institutional violence resulted in reductions in the use of weapons late in FY 2005, which has continued in FY 2006. The same tactics identified above are used to address the specific issue of weapons, with appropriate changes in frequency and intensity based on new intelligence. The results of those efforts can be seen in the chart provided below to further explain Exhibit 3 in the Operating Budget Analysis.



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It should be noted that included in the definition of a weapon are such things as an empty juice carton, an orange, or milk thrown to get attention. This distinction is not included in the statistical detail provided for and used in the Operating Budget Analysis.

Gang initiation activities within the jails are now directing assaults against staff. Recently, an offender attacked a DPDS lieutenant. Our intelligence officers confirmed that this was a gang initiation. In a separate incident, intelligence officers successfully identified two officers as targets of another initiation and prevented the attacks from occurring.

Issue: The Department should be prepared to discuss why overtime spending is increasing. DLS recommends that overtime be reduced by \$1 million in the fiscal 2007 allowance, which permits overtime spending to grow at the same rate as salaries.

Response:

DPDS has experienced a number of operational needs resulting in the increased spending in overtime. Factors of current concern include staffing requirements for:

- Compliance with the 24-hour rule in booking;
- Additional escort requirements of the new medical contract;
- Additional administrative segregation housing in the Baltimore City Detention Center (BCDC);
- Need to create new overtime posts to support programmatic changes in the juvenile unit;
- Escort requirements of the Phase III – Fire Safety renovations in BCDC for the next 18 months;

Issue: DLS recommends that the division prepare and submit an updated report on its continued efforts to adhere to the 24-hour rule.

Response:

The information requested in the analyst's recommendation has been readily provided to other officials previously on a year-to-date basis. The Division has implemented processes to minimize non-compliance and continues to examine this operation for further enhancements. The requested information is available through monitoring process used regularly by management and can be easily formatted to provide this report.

DPDS concurs with this recommendation.

Issue: The Division should be prepared to discuss what other steps it is taking to ensure that non-emergency medical problems identified by the initial medical screening but not requiring immediate attention are addressed in a timely manner.

Response:

The analyst has identified the two key components to improved non-emergency health care at BCBIC. The "accept/reject" front door function is adequately described. The "screening" within two hours of arrival, however, should be further illuminated. By switching from correctional personnel to health care personnel, it is the belief of the Department that arrestees will be more candid with respect to recent drug use, history of treatment for mental illness, and similar conditions that the arrestee may believe will produce either stigma or may reduce chances for

bail or release. Additionally, by conducting this screening in a private environment, the potential for candor is enhanced. Finally, the medical screening has been made a part of the booking process and, therefore, is a “step” captured in the Arrest Booking System (ABS) to ensure that no arrestee falls through the cracks.

The medical contract initiated in July 2005 includes several additional provisions to improve response to non-emergency medical problems identified by the initial medical screening, including increased staff, provision of additional clinics and specialty services, electronic medical records, case review, enhanced sick call, and follow up exams. One of the greatest benefits from the new contract lies in quality of performance. By contracting with a local pharmacy distributor, deliveries are made twice daily and no issue is presented by weekends or holidays based on delivery.

The provision for an electronic medical records system is the foundation for an enhanced quality of medical care throughout the Department. An offender’s medical record begins with the initial screening at the Baltimore Central Booking and Intake Center and follows them as they move through the criminal justice system. The record is available to medical personnel wherever the offender is housed – DPDS or Division of Correction. That medical history remains available and can be accessed should the offender be release from the Department’s custody and return to BCBIC for a later offense. Mental health records are also maintained on the same system. While it will take approximately two years for the electronic system to become fully populated and operational, its benefits are already being realized.

In BCBIC, medical services are to be available on the floors near the housing units. The physical exams, which must be conducted with 7 days of commitment to DPDS, can be conducted in the housing units under this arrangement. This same space allows for effective response to offender sick call requests to be triaged and for mental health professionals to conduct follow-ups, without reliance on officers to escort the offender.

DPDS has initiated a new case management process that includes a new classification tool. This provides for a method to monitor and ensure that individual offenders receive the required physical exam with 7 days of commitment as part of that process.

Issue: The Division should be prepared to discuss what the obstacles are that prevent it from returning personal property simultaneous to release.

Response:

Especially during periods of high volumes of arrests, return of personal property to individuals being released may be delayed. DPDS has dealt with the issue of holding individuals in custody after they have been released until their property is available. Rather than holding individuals for release until their property is retrieved, they are released immediately and may wait in the lobby for their property or retrieve it at a later time. Their identification is returned at release without waiting for their personal property. We have gained some limited reduction in the wait time, but further improvement is not expected without significant changes in this process. The delays are due to a combination of large volumes of property, insufficient space to efficiently store property, and insufficient support staff in the property unit. An additional supervisor is being added to one shift to improve coordination of property staff with custody staff, focusing on release requirements. Long-term solutions are being studied and may require staffing increases until technology solutions are identified, funded, and implemented.

RECOMMENDED ACTIONS:

1. Reduce funds for overtime spending.

Response:

Based upon year-to-date actual expenditures through January 31 and current salary rates, FY 2006 expenditures for overtime in the Division are projected to total approximately \$9 million.

Correctional officer salaries, and related overtime costs, are expected to increase by 11% in fiscal year 2007, based upon (1) the proposed 6% increase in correctional officer salaries, (2) the proposed cost of living adjustment, and (3) increments. Accordingly, FY 2007 allowance for overtime will be required to meet anticipated overtime expenditures and, if the recommended reduction is taken, the Division would incur an overtime deficiency.

The Department, therefore, requests that the Subcommittee reject the analyst's recommendation.

2. Report on 24-Hour Rule Compliance.

The Department concurs with the analyst's recommendation.